

A bill for an act  
relating to labor and industry; modifying requirements of the State Building  
Code; amending Minnesota Statutes 2008, section 326B.106, subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 326B.106, subdivision 4, is amended to  
read:

Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must  
require that any parking ramp or other parking facility constructed in accordance with the  
code include an appropriate number of spaces suitable for the parking of motor vehicles  
having a capacity of seven to 16 persons and which are principally used to provide  
prearranged commuter transportation of employees to or from their place of employment  
or to or from a transit stop authorized by a local transit authority.

(b) **Smoke detection devices.** The code must require that all dwellings, lodging  
houses, apartment houses, and hotels as defined in section 299F.362 comply with the  
provisions of section 299F.362.

(c) **Doors in nursing homes and hospitals.** The State Building Code may not  
require that each door entering a sleeping or patient's room from a corridor in a nursing  
home or hospital with an approved complete standard automatic fire extinguishing system  
be constructed or maintained as self-closing or automatically closing.

(d) **Child care facilities in churches; ground level exit.** A licensed day care center  
serving fewer than 30 preschool age persons and which is located in a belowground space  
in a church building is exempt from the State Building Code requirement for a ground  
level exit when the center has more than two stairways to the ground level and its exit.

2.1 (e) **Family and group family day care.** Until the legislature enacts legislation  
2.2 specifying appropriate standards, the definition of dwellings constructed in accordance  
2.3 with the International Residential Code as adopted as part of the State Building Code  
2.4 applies to family and group family day care homes licensed by the Department of Human  
2.5 Services under Minnesota Rules, chapter 9502.

2.6 (f) **Enclosed stairways.** No provision of the code or any appendix chapter of the  
2.7 code may require stairways of existing multiple dwelling buildings of two stories or  
2.8 less to be enclosed.

2.9 (g) **Double cylinder dead bolt locks.** No provision of the code or appendix chapter  
2.10 of the code may prohibit double cylinder dead bolt locks in existing single-family homes,  
2.11 townhouses, and first floor duplexes used exclusively as a residential dwelling. Any  
2.12 recommendation or promotion of double cylinder dead bolt locks must include a warning  
2.13 about their potential fire danger and procedures to minimize the danger.

2.14 (h) **Relocated residential buildings.** A residential building relocated within or  
2.15 into a political subdivision of the state need not comply with the State Energy Code or  
2.16 section 326B.439 provided that, where available, an energy audit is conducted on the  
2.17 relocated building.

2.18 (i) **Automatic garage door opening systems.** The code must require all residential  
2.19 buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82  
2.20 and 325F.83.

2.21 (j) **Exit sign illumination.** For a new building on which construction is begun  
2.22 on or after October 1, 1993, or an existing building on which remodeling affecting 50  
2.23 percent or more of the enclosed space is begun on or after October 1, 1993, the code must  
2.24 prohibit the use of internally illuminated exit signs whose electrical consumption during  
2.25 nonemergency operation exceeds 20 watts of resistive power. All other requirements in  
2.26 the code for exit signs must be complied with.

2.27 (k) **Exterior wood decks, patios, and balconies.** The code must permit the decking  
2.28 surface and upper portions of exterior wood decks, patios, and balconies to be constructed  
2.29 of (1) heartwood from species of wood having natural resistance to decay or termites,  
2.30 including redwood and cedars, (2) grades of lumber which contain sapwood from species  
2.31 of wood having natural resistance to decay or termites, including redwood and cedars, or  
2.32 (3) treated wood. The species and grades of wood products used to construct the decking  
2.33 surface and upper portions of exterior decks, patios, and balconies must be made available  
2.34 to the building official on request before final construction approval.

2.35 (l) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may  
2.36 be imposed by municipalities under the State Building Code, except as required under

section 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92 administered by the Department of Labor and Industry. All data regarding the material production processes, including the bioprocess system's structural design and layout, are nonpublic data as provided by section 13.7911.

**(m) Use of ungraded lumber.** The code must allow the use of ungraded lumber in geographic areas of the state where the code did not generally apply as of April 1, 2008, to the same extent that ungraded lumber could be used in that area before April 1, 2008.

**(n) Polyvinyl chloride (PVC) materials.** In any heating, ventilation, or air conditioning ducts regulated by Minnesota Rules, chapter 1346, the code must prohibit the use of polyvinyl chloride (PVC) materials that exceed the National Institute of Occupational Safety and Health's permitted exposure limits of hydrogen chloride determined by the BSS 7239-88 testing methodology to be immediately dangerous to life and health from toxic gas generation by materials on combustion.

Sec. 2. **RULE CHANGE.**

The Department of Labor and Industry shall amend Minnesota Rules, chapter 1346, so that it conforms with Minnesota Statutes, section 326B.106, subdivision 4, as amended by section 1. The department may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), in adopting the amendment, and Minnesota Statutes, section 14.386, does not apply.